

**REMARKS**

**Status of Claims:**

Claims 3-4, 7-8, and 11-12 remain cancelled. Thus, claims 1-2, 5-6, 9-10, and 13-15 are present for examination.

**Claim Rejections:**

Claims 1-2, 5-6, 9-10, and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Patent No. 5,987,424) in view of Kenney (U.S. Patent No. 5,515,424). On page 2 of the Office Action, the Examiner lists Kenney as U.S. Patent No. 5,514,424, but on the PTO-892 form the Examiner lists Kenney as U.S. Patent No. 5,515,424. Applicant believes that the Kenney patent referred to by the Examiner is U.S. Patent No. 5,515,424 as provided on the PTO-892 form.

With respect to claims 1-2, 5-6, 9-10, and 13-15, as amended, the rejection is respectfully traversed.

Independent claim 1, as amended, recites an advertisement system comprising:

“a portable telephone communication terminal capable of communicating with other portable telephone communication terminals utilizing a display on said portable telephone communication terminal, and capable of automatically displaying an advertisement on said display when said display is operating in a standby mode;

a terminal management device for managing said portable telephone communication terminal; and

a plurality of advertisement broadcast devices, each advertisement broadcast device of the plurality of advertisement broadcast devices capable of storing advertisement data provided by a corresponding advertisement broadcaster of a plurality of advertisement broadcasters;

wherein said terminal management device comprises:

notification means for, when a registration request including first information representing that said portable telephone communication terminal is an automatic advertisement display terminal and second information representing a selected advertisement broadcaster of said plurality of

advertisement broadcasters designated by said portable telephone communication terminal is issued by said portable telephone communication terminal, notifying an advertisement broadcast device of the plurality of advertisement devices to which the selected advertisement broadcaster corresponds of the registration request including the first information in accordance with the second information,

registration means for registering the first information and the second information when said advertisement broadcast device sends registration acceptance in response to the registration request notification from said notification means, and

display control means for, when advertisement data is received from said advertisement broadcast device which is a registration acceptance notification source, transmitting, without intervening action from a user of the portable telephone communication terminal, the received advertisement data to said portable telephone communication terminal on the basis of the registered first information and the registered second information;

wherein the portable telephone communication terminal is configured to automatically receive the advertisement data from the terminal management device and is configured to automatically display the advertisement data on the display of said portable telephone communication terminal when said display is operating in said standby mode; and

wherein the advertisement broadcast device is able to transmit the advertisement data to the terminal management device at arbitrary times after the advertisement broadcast device sends the registration acceptance in response to the registration request notification.” (Emphasis Added).

An advertisement system including the above-quoted features has at least the advantages that: (i) a portable telephone communication terminal is capable of automatically displaying an advertisement on a display when the display is operating in a standby mode; (ii) a terminal management device allows for managing the portable telephone communication terminal; (iii) each advertisement broadcast device of a plurality of advertisement broadcast devices is capable of storing advertisement data provided by a corresponding advertisement broadcaster of a plurality of advertisement broadcasters; and (iv) the terminal management device includes notification means for, when a registration request including first information representing that the portable telephone communication terminal is an automatic advertisement display terminal and second information representing a selected advertisement broadcaster of the plurality of advertisement broadcasters designated by

the portable telephone communication terminal is issued by the portable telephone communication terminal, notifying an advertisement broadcast device of the plurality of advertisement devices to which the **selected** advertisement broadcaster corresponds of the registration request including the first information in accordance with the second information. (Specification; page 4, line 18 – page 5, line 22; page 8, line 27 – page 9, line 11).

Neither Nakamura nor Kenney, alone or in combination, disclose or suggest an advertisement system including the above-quoted features with a terminal management device that comprises notification means for, when a registration request including first information representing that a portable telephone communication terminal is an automatic advertisement display terminal and second information representing a **selected advertisement broadcaster of a plurality of advertisement broadcasters** designated by the portable telephone communication terminal is issued by the portable telephone communication terminal, notifying an advertisement broadcast device of a plurality of advertisement devices to which the **selected** advertisement broadcaster corresponds of the registration request including the first information in accordance with the second information.

The Examiner points to the **exchange 4** in the system of Nakamura as being a terminal management device of the present claim. (Office Action; page 2). However, the **exchange 4** in the system of Nakamura does not include a notification means as recited in the present amended claim 1. The Examiner points to **steps 1301 and 1302** in Fig. 22 of Nakamura as disclosing a notification means. (Office Action; pages 2-3).

However, in step 1301 of Nakamura, the exchange 4 merely discriminates whether or not there is a subscriber telephone set which is **already under contract** for advertisement termination and is in a free state. (Nakamura; Fig. 22, step 1301; col. 24, lines 29-33). In step 1301, the exchange 4 of Nakamura does not notify the advertisement apparatus 6 of a registration request of the telephone set 1. (Nakamura; col. 24, lines 29-33). Rather, Nakamura merely assumes that before step 1301 occurs, the telephone set 1 **has a contract** for advertisement termination concluded with a communication undertaker. (Nakamura; col. 24, lines 23-28). Nakamura does not disclose or suggest how the contract is concluded with the communication undertaker. (Nakamura; col. 24, lines 23-28).

Moreover, in step 1302 of Nakamura, the exchange 4 merely determines whether or not a present point of time is within a contracted time zone. (Nakamura; Fig. 22, step 1302; col. 24, lines 38-41). Such a determination in step 1302 of Nakamura has nothing to do with notifying a registration request. Therefore, steps 1301 and 1302 of Nakamura neither disclose nor suggest a notification means of the present claim 1.

In addition, claim 1 has been amended to recite that a registration request includes “second information representing a selected advertisement broadcaster of said plurality of advertisement broadcasters designated by said portable telephone communication terminal”. (Emphasis Added). Nakamura neither discloses nor suggests a registration request including such information.

Kenney does not cure the deficiencies with respect to the teaching of Nakamura, because Kenney similarly does not disclose a notification means of the present amended claim 1. Rather, the system of Kenney merely transmits images that are stored in a central database to a local telephone station. (Kenney; abstract).

Therefore, independent claim 1, as amended, is neither disclosed nor suggested by the Nakamura and Kenney references and, hence, is believed to be allowable.

Independent claim 5, as amended, recites an advertisement display method with features similar to features of an advertisement system of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 9, as amended, recites a storage medium storing an advertisement display program for causing a computer to execute a process with features similar to features of an advertisement system of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

The dependent claims are deemed allowable for at least the same reasons indicated above with regard to the independent claims from which they depend.

**Conclusion:**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date April 5, 2007

By Justin M. Sobaje

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (310) 975-7965  
Facsimile: (310) 557-8475

Justin M. Sobaje  
Attorney for Applicant  
Registration No. 56,252